

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**ANTHONY R. PERRY,**

**Plaintiff,**

**v.**

**Civil Action 1:22-cv-178  
Judge Sarah D. Morrison  
Magistrate Judge Chelsey M. Vascura**

**RONALD ERDOS, et al.,**

**Defendants.**

**ORDER**

This matter is before the Court for consideration of Plaintiff's Motion for Transfer to Another Correctional Facility (ECF No. 61), which the Court construes as an emergency *ex parte* request for a temporary restraining order under Federal Rule of Civil Procedure 65(b). In his Motion, Plaintiff represents that his life is in imminent danger because he has learned that prison gang members have a plan to kill him by stabbing him with a knife. Although less clear, it appears that Plaintiff alleges that the gang members who are threatening his life are serving as informants for the corrections officers Plaintiff has named as Defendants in this action and that these Defendants are conspiring to hurt Plaintiff in retaliation for filing the instant action. Plaintiff also represents that he is currently suffering from untreated severe mental health conditions.

The Court finds that Plaintiff has articulated facts which, if true, demonstrate that Plaintiff is entitled to temporary, emergency relief. Given that Plaintiff is incarcerated and

proceeding without counsel, the Court excuses Plaintiff's failure to support his motion with an affidavit as required under Rule 65(b)(1)(A).

To address the serious threats to his safety Plaintiff has articulated, the Ohio Department of Rehabilitation and Correction ("ODRC") is **ORDERED** to place Plaintiff in the Transitional Program Unit ("TPU"), which is a specialized housing unit requiring close supervision of inmates. ODRC is further **ORDERED** to complete an investigation into Plaintiff's allegations and respond to Plaintiff's Motion **ON OR BEFORE SEPTEMBER 16, 2022**.

The Clerk is **ORDERED** to email a copy of this Order to the Assistant Chief Counsel for ODRC.

**IT IS SO ORDERED.**

/s/ Sarah D. Morrison  
SARAH D. MORRISON  
UNITED STATES DISTRICT JUDGE

**Issued: September 9, 2022, at 6:58 p.m.**